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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ALLEN S. HEUSNER,

Petitioner,

v.

DWIGHT NEVEN, *et al.*,

Respondent(s).

Case No. 2:14-cv-01119-RFB-GWF

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
REPLY IN SUPPORT OF MOTION TO
DISMISS (ECF NO. 74)**

(THIRD REQUEST)

Respondents move this Court for an enlargement of time of 37 days from the current due date of June 27, 2022, up to and including August 3, 2022, in which to file their Reply in support of their Motion to Dismiss to Heusner's Second Amended Petition for Writ of Habeas Corpus (ECF No. 74). This Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel.

This is the third enlargement of time sought by Respondents and is brought in good faith and not for the purpose of delay.

DATED: June 27, 2022

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Katrina A. Samuels
Katrina A. Samuels (Bar. No. 13394)
Deputy Attorney General

DECLARATION OF KATRINA A. SAMUELS

I, Katrina A. Samuels, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Allen S. Heusner v. Dwight Neven, et al.*, Case No. 2:14-cv-01119-RFB-GWF, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The Reply to Heusner's Opposition is currently due on Monday, June 27, 2022.

4. Respondents have been unable with due diligence to timely complete the Reply.

5. In the past few months, Respondents filed a response to motion to provide justice court records filed April 7, 2022 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-00731-GMN-VCF); a motion to dismiss filed April 22, 2022 (*Derrell Lee Christy, Jr. v. William Hutchings*, Case No. 2:21-cv-00132-APG-BNW); a response to a motion to strike filed May 2, 2022 (*Slater Lance Yohey v. Perry Russell, et al.*, Case No. 3:20-cv-00441-ART-CLB); a renewed motion to dismiss filed May 2, 2022 (*Slater Lance Yohey v. Perry Russell, et al.*, Case No. 3:20-cv-00441-ART-CLB); an answering brief in the Ninth Circuit filed May 9, 2022 (*John Michael Farnum v. Robert Legrand, Warden; Attorney General for the State of Nevada*, Case No. 21-15529); an opposition to motion for recusal filed May 11, 2022 (*Justin Odell Langford v. Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD); an opposition to motion to reconsider motion to amend petition filed May 16, 2022 (*Justin Odell Langford v. Warden Renee Baker, et al.*, Case No. 3:19-cv-00594-MMD-CSD); a reply in support of motion to dismiss filed May 31, 2022 (*Markiece Palmer v. William Gittere, et al.*, Case No. 3:18-cv-00245-HDM-CLB); a reply in support of motion to dismiss filed June 20, 2022 (*Christopher Lenard Blockson v. Jerry Howell, et al.*, Case No. 2:21-cv-00731-GMN-VCF); and various responses in state post-conviction cases.

6. Respondents communicated with counsel for Heusner regarding this extension and they do not object to this request.

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5 Executed on June 27, 2022.

7 /s/ Katrina A. Samuels
8 Katrina A. Samuels (Bar. No. 13394)
Deputy Attorney General

14 IT IS SO ORDERED:

17 **RICHARD E. BOULWARE, II**
18 **United States District Court**

10 DATED this 28th day of June, 2022.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of Time to File Reply in Support of Motion to Dismiss (ECF No. 74) (Third Request)* with the Clerk of the Court by using the CM/ECF system on June 27, 2022.

The following participants in this case are registered CM/ECF users and will be served by the CM/ECF system:

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An employee of the Office of the Attorney General